OFFICE OF THE DISTRICT MAGISTRATE, DHARWAR DISTRICT DHARWAR.

Notification dated 20th October 1973.

No. TSSR-9163. Whereas the Draft order called the Licensing and Controlling of Places of Public E ment Order 1972 ; was published as required by sub-section (6) of Section 31 of the Mysore Police Act u this office Notification dated 17th August 1972 in *Mysore Government Gazette*, dated 19th October 1 inviting objections and suggestions from all persons likely to be affected thereby on or before 1st Decem 1972.

And whereas no objections and suggestions were received on the said draft order and whereas the Governm of Mysore have approved the said order in their letter No. HD 24 CNP 73, dated 17th August 1973.

Now, therefore in exercise of the powers conferred by clause (W) of sub-section (1) of Section 31 of Mysore Police Act, 1963 (Mysore Act 4 of 1964), the District Magistrate, Dharwar District, Dharwar her makes the following order namely.

P. D. SHENOY,
District Magistrate.

ORDER

1. This Order may be called the Licensing and Controlling of Places of Public Entertainment Order, It shall come into force from the date of its publication in the official Gazette.

2. No persons shall open or keep a place of public entertainment unless he holds a valid licence granted un these rules.

3. No licence to open or keep a place of public entertainment shall be granted to any persons applying for a licence under rule 4 ; unless he satisfies the district magistrate/ Sub-Divisional Magistrate (here inafter referred as the licensing authority).

(i) That he is a suitable person for holding the licence.

(ii) That the locality and the place of or premises where he proposes to open or keep the place of Pu Entertainment are suitable for the purpose.

(iii) That the means of entrance and exit to and from the place are convenient, easy of access, adequ and satisfactory.

(iv) That the keeping of a place of Public Entertainment and the place proposed to be used for purpose is not likely to cause obstruction, inconvenience, annoyance, risk, danger or damage residence or passengers in the vicinity thereof; and

(v) Where the place of public entertainment is proposed to be opened in any enclosure, building, te booth or any other erection that arrangement, hom regarding ventilation and precaution ag in the fire or adequate and suitable.

4 Every application for the grant or renewal of a licence under these Rule shall be submitted to the Licens Authority through the Sub-Inspector of the Police concerned within jurisdiction the place of the Public Enterta ment is situated.

5. (1) The District Magistrate or the Sub-Divisional Magistrate may, if satisfied in respect of t matter specified in rule 2, grant the applicant a licence in the form appended to these rules for opening keeping a place of public entertainment :

Provided that a Taluka Magistrate, if satisfied in respect of the matter specified in rule 2, grant the app tion a temporary licence for a period not exceeding 15 days in the form appended so far as it can be made app cable for opening a place of public entertainment at a bazaar or fair or festival held within the area of juris ction, or for opening such area where a Circus, Touring Cinema, Exhibition or conference or similar enterta ment is held or provided or event takes place.

(2) Such licence may be granted for any period not exceeding beyond the 31st December next followi the date on which the licence is issued:

Provided that for keeping a place of public entertainment near cotton ginning, sugar or other seaso factory, a temporary licence may be granted for such period not exceeding six months from the date of iss as may be specified in such licence ;

(3) On every licence, there shall be endorsed the purpose for which the place of public entertainm is authorised to be used or the type or types of entertainment authorised to be served thereon;

(4) A licence fee to be paid by the applicant for the grant or renewal of the licence shall be as follow

(i) For every licence in respect of a place of public entertainment kept open between 5 A.M. amd 11 A.

(*a*) at district headquarters or taluka town Rs. 10 per year ;

(b) In any other locality Rs. 5 per year.

(ii) (a) for every temporary licence issued under the proviso to sub-rule (2) at district headquarters a taluka town Rs. 7 for the period for which it is issued ;

(b) for every such licence in any other locality Rs. 3 for the period to which it is issued.

(iii) for every additional hour between 11 P.M. and 5 A.M. an additional fee ;

(a) at a district headquarter or taluka town. Rs. 2 per year or part thereof

(b) in any other locality Re. 1 per year or part thereof ;

(iv) for temporary licence on occasions, irrespective of hours, the place is opened and subject t a maximum of 30 days ; Rs. 2.

(v) For every licence at all weekly bazaars in the same taluka Rs. 10 per year.

(vi) For transferring premises : Rs. 5 ;

(vii) For entering each agent's name in the licence Rs. :

(*N.B.* —When a licence is renewed, no separate fee s no agen is to be endorsed on it)

(viii) For duplicate of a licence-Rs. 2.

(ix) For making change in the purpose for which the place of public entertainment is authorised to b used or in type or types of entertainment authorise to] othe than at the time of renewal).

(a) at a district headquarters or Taluka town Rs. 4.

(b) in any other locality Rs. 2.

6. (1) (a) No person keeping a place of public entertainment shall refu mbe of a Scheduled Caste or Scheduled Tribe on the ground of his being a member of such caste or class ;

b) No person keeping a place of public entertainment shall display or cause to be displayed any playcar or board indicating that the admission to the place is restricted only to the members of any parti cular caste or community or class of persons ;

c) No licensee shall give a treatment in his hotel, teashop, lodging and boarding house or his place o public entertainment to members of scheduled caste or scheduled tribes different from that give to other public in the service of tea, coffee, and other eatables and in the use of cups and saucer plates etc. for the service of the same.

Provided that nothing in this clause shall apply to the display of a playcard or board indicating vegetaria or non-vegetarian catering as the case may be, at such place.

(2) For breach of clause (a) or (b) or (c) of sub-rule (1), a licence granted under these rules shall be liabl to be cancelled forthwith by the District Magistrate without prejudice to any other action that may b taken against him under the provisions of any law for the time being in force.

7. (1) Subject to sub-rule (2) a licence granted under the rules may be renewed annually for a period whic does not extend beyond the 31st December next following the date of such renewal. An application for renewa accompanied by the licence fee shall be made within one month before the date of expiry of the licence. If appli cation is not made within such period, the licensing authority may refuse to renew the licence.

(2) the licensing authority may refuse to renew a licence if he is satisfied after such enquiry as he think fit that the licensee is not a suitable person for continuing to hold the licence.

(3) Whereas application is made in accordance with sub-rule (1), the premises in respect of which th licence is to be renewed, shall be deemed to be duly licenced until such licence is renewed and delivered to th applicant or his agent or until an intimation that the renewal of the licence has been refused is communicated t such person.

8. A licence granted under rule 4 shall not be transferable or assignable but shall be personal for th benefit only of the person to whom it is granted ; provided that in the case of death of the licensee, his heir or lega representative may make an application within one month from the date of death to the licensing authority t have the benefit of the licence and the licensing authority may decide the application having regard to the provisions of rule 2.

The fee payable by the applicant for such transfer or assignment shall be Rs. 2.0

9. No licence under these rules shall be issued unless the person applying for such licence satisfies th District Magistrate that he has complied with the provisions of the Mysore Shops and Commercial Establis ment Act, 1961 and the rules made thereunder in so far as they are applicable to him.

10. No person keeping a place of public entertainment shall keep it open except during such hours a may be specified in his licence:

Provided that if on any of the following occasions the provisions of the Mysore Shops and Commerci Establishments Act, 1961 as respects closing hours, are suspended under Section 38 of the said Act, in respe of places of public entertainments or class of such places, may keep his place open upto such hour on th occasion as may be notified by the District Magistrate in this behalf without obtaining any special permissio or payment of additional fees theref

(a) Republic Day;
(b) Independence Day;
(c) Month of Ramzan, and
(d) Christmas Day

11. (1) Unless a person permitted to act under sub-rule (2) (hereafter this rule referred to as "the agent" is present no person keeping a place of public entertainment shall absent himself therefrom during the tim it is open without obtaining the previous permission of the licensing authority, to be endorsed on the licence.

(2) No person keeping a place of public entertainment shall at any time permit an agent to act for hi in the management of such place without the like permission similarly endorsed;

Provided that permission to act as agent shall not ordinarily be refused if the person is a member of th licensee's family or his paid servant.

12. No person keeping a place of public entertainment shall allow in such place gaming or any other a which constitutes an offence punishable under the Mysore Police Act, 1963 or any other law for the time bein in force.

13. (1) No person keeping a place of public entertainment shall play or allow any music to be played such place except in accordance with the following provisions:—

(a) Music shall not be played or allowed to be played in a place of public entertainment at such a tim as to attract an assemblage of persons. Music shall be stopped immediately if a crowd has gather in front of a place of public entertainment for the purpose of listening to such music;

(b) The source of music or the musical instrument shall be so situated as to be atleast twenty fe away from any road, street or other public place;

(c) Notwithstanding anything contained in clauses (a) and (b) no music shall be played in a place public entertainment if such place is within a distance of 100 yards—

(i) from a place worship, during hours of usually observed in such place of worship;

(ii) from any court house or public office, during the hours of business observed by such court office;

(iii) from any college or school, during the hours of studies of such college or school and;

(iv) from any hospital and nursing home, during any time.

(2) Without prejudice to the provisions of sub-rule (1) the District Magistrate or Sub-Divisional Magistrat may by the general or special order made in this behalf, direct that no music shall be played or allowed to b played by a person keeping a place of public entertainment between such hours as he may prescribe.

Explanation:—For the purpose of this rule "Music" shall include the playing of gramphones, phonograph radio, radio amplifiers, radio gramaphones, tape recorders, bands, tom-toms, drums, cymbals and any instru mental music.

14. No person keeping a place of public entertainment shall keep, supply or permit to be consumed therei any intoxicant as defined in the Mysore Excise Act, 1965 unless he possess a licence or permit granted by o under the provisions of the said Act.

15. No person keeping a place of public entertainment shall or keep in such a place eatables or drink exposed to dust nor shall be store or keep therein eatablesboxes, cupboards, bottles, cases or other closed receptacles or under fly-proof netting

16. No person who holds a licence to keep a place of public entertainment shall use or attempt to use any premises other than those described in the licence as the place of public entertainment.

17. Every person holding a licence shall carry on his business on the premises mentioned in the licence which were in his occupation when the licence was granted and if he desires carry on business also on other premises which are not added to the licensed premises or he shall obtain previous permission of the licensing authority.

18. Every person holding a licence shall use his premises for the purpose of the entertainment which he is authorised to provide orfor serving the typesor types of entertainment which is authorised to serve thereon, and if he desires to provide any other kind of entertainment he shall obtain previous permission of the licensing authority.

19. Every person who holds a licence to keep a place of public entertainment, shall, unless specifically exempted in writing by the District Magistrate fix or cause to be fixed in some prominent position outside the said place a wooddden board of suitable size on which shall be painted conspicuously in English and in the regional language the same of the keeper of the place and words indicating that he is licensed to keep the particular place of public entertainments in question and the particular purpose of entertainment for which it is used.

20. Every person keeping a place of public entertainment shall take efficient steps to prevent overcrowding in or at such place and in the event of any disturbance or accident involving injury to human life or limb happening therein or there at shall give immediate information of the same to the Police.

21. Every person keeping a place of entertainment and every person permitted to act for him under rule 10 shall at all times allow free access to any Police Officer attending the same in the execution of his duty.

22. Every person keeping a place of public entertainment shall, if so required by the District Magistrate or Sub-Divisional Magistrate, by general or special order, exhibit a list of prices of all articles of food and drink served to customers at such place.

23. Every person keeping a place of public entertainment and every person permitted to act for him under rule 10 shall conduct his occupation or business in such place in an orderly manner.

24. Every person keeping a hotel or lodging house shall maintain at the hotel or lodging house a register containing such particulars as may be specified by the District Magistrate or Sub-Divisional Magistrate in his behalf, of every visitor to the hotel or lodging house. He shall also produce for inspection by any Police Officer such register if so required by him in the discharge of his official duties.

Explanation —For the purpose of this rule "Visitor" means a person for whom accommodation is provided in a Hotel or Lodging House.

25. The District Magistrate shall have the power in his discretion at any time to cancel a licence granted under these rules or to suspend it for such peroid as he may specify and to direct the keeper of any place of public entertainment to close such place either permanently or temporarily or otherwise act with reference thereto if the District Magistrate is satisfied after such enquiry as he deems fit that the licensee is not a suitable person /continuing to hold the /for licencor in order to prevent any obstruction, inconvenience, annoyance, risk, danger or damage to the residents or passengers in the Vicinity or to prevent disturbance in such place and every person keeping a place of public entertainment shall forthwith comply with such direction.

26. If the licensing authority is satisfied that the keeper or any place of public entertainment knowingly permits prostitutes for the purpose of their trade or persons of notoriously bad character, to meet or remain in such place he may cancel the licence granted to such person under these rules, or suspend it for such period as he may specify and such a person shall there-upon forthwith comply with such direction.

27. No licence granted under these rules shall be cancelled or suspended until the holder of the licence is given; a reasonable opportunity or showing cause why his licence should not be cancelled or suspended as the case may be.

28. Provided that no such opportunity for showing cause shall be necessary when the licence is suspended for a temporary period pending any enquiry against the holder of the licence for contravention

(1) Subject to the provisions of sub-rule (2), any applicant may within 30 days from the date o communication of an order refusing to grant or renew a licence, appeal-

(ii) If the order is passed by the District Magistrate to the Divisional Commissioner ;
(ii) If the order is passed by a Sub-Divisional Magistrate to District Magistrate.

(2) Where an order of refusal to grant or renewal a licence is made by a Taluka Magistrate, a appeal shall lie to the Sub-Divisional Magistrate, within a period of 15 days from the date of communication thereof.

29. Nothing contained in these rules shall apply to any of public entertainment which is licensed t sell any intoxicant by or under the provisions of the Mysore Excise Act, 1965.

30. Any licence granted prior to the coming into force of these rules shall, so far as the licence is not inconsistent with the provision of these rules, continue to be in force and be deemed to have been granted under these rules until the expiry of the term for which the licence was granted or until it is suspended or cancelled in accordance with the povisions of the Act or these rules as the case may be.

31. The District Magistrate may delegate the powers vested in him under these rules to the Sub-Divisional Magistrates subordinate to him.

P. D. SHENOY,
5021 *District Magistrate.*

Licence for Keeping A Place of Public Entertainment.

Under the powers vested in the District Magistrate/Sub-Divisional Magistrate .. .. by the rules made under Section 31 (1) (W) of the Mysore Police Act, 1963 (Mysore Act of 1964) with the previous sanction of the State Government by the District Magistrate.

Licence is hereby granted to ..... authorising him to open or keep a place of public entertainment viz., in .... House No. ..... situated at .. .. in between the hours .... of .... and every day untill ....

Note:— Under Section 103 of Mysore Police Act, 1963 Mysore Act 4 of 1964), In contravention of any of said rules or abetment thereof will render the person liable to be punished with fine which may extent to fifty rupees or in default, to simple imprisonment which may extend to eight days.

Given under my hand and seal this ..... day of .....

.....
Licensing Authority.

IN THE COURT OF THE SUB-DIVISIONAL MAGISTRATE, RAICHUR.

Notification dated 23rd January 1974.

Sub :—Unclaimed property.

No. MAG/17 and 18/73-74. Whereas the Sub-inspector of Police, Somwarpet, Raichur and F. C. M., Raichur has deposited the following property as unclaimed property in this Court. It is therefore notified for the information of the public that whosoever has any claim regarding the property in question may apply for this court within six months from the date of publication of this notification in the Gazette. After the expiry of the period, the property will be disposed off according to law and no objections will be heard thereafter.

Particulars of Property..

1 MAG/UCP/17/73-74 :—One B. S. A. Cycle bearing frame No. KC 25038 with Stand, Chain Cover (without bell) in working condition.

2 MAG/UCP/18/73-74 :—One bag cotton about 8 Kgs and one old saree piece.

RENUKA VISWANATHAN,
290 *Sub-Divisional Magistrate.*

IN THE COURT OF THE MUNSIFF-MAGISTRATE AT T. NARASIPUR.

Notification dated 31st January 1974.

It is hereby notified for the information of the public that the following property which is lying as unclaimed will be at the disposal of this Court under Section (2) Cr. P. C If no claimants appear before this Court and take delivery thereof after establishing their claims within six months from the date of this notification, the claimants thereto will forfeit their claims Under Section 523 Cr. P. C.

Sl. No :—1.

P. R. No :—48/1973.

Case No :—P. F. 82/73 of T. Narasipur Police.

By whom received :—Sub-Inspector of Police T Narasipur.

Description of property :—Value of Rs. 42-40 P c 80 Kgs of paddy which is in Criminal Court depo sit of this Court.

M. R. REWANKAR,
7311 *Munsiff-Magistrate.*